IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Twardzik et al.

Art Unit:

Unassigned

Application No.

Unassigned

Parent Application 09/641,587

Examiner:

Unassigned

No.:

Filed:

January 15, 2002

Title:

TGF- $\alpha$  POLYPEPTIDES, FUNCTIONAL FRAGMENTS AND METHODS

OF USE THEREFOR

Commissioner for Patents Washington D.C., 20231

Sir:

And the time

## PRELIMINARY AMENDMENT

Prior to the examination of the present application, please amend the application as follows:

## IN THE SPECIFICATION:

Please delete the paragraph on page 1, under the heading "CROSS REFERENCE TO RELATED APPLICATIONS" and insert the following replacement paragraph:

-- [0001] This application is a continuation of 09/641,587, filed August 17, 2000, which is a continuation-in-part of U.S. Application 09/492,935, filed January 27, 2000, which is a continuation-in-part of U.S. Application 09/378,567, filed August 19, 1999, the disclosures of which are herein incorporated by reference in their entirety.--

"EXPRESS MAIL" Mailing Label Number EV047295841US Date of Deposit January 15, 2002

I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231

D.C. 20231

Mikhail Bayley

Gray Cary\GT\6274701.1 105265-21 In Re Application of: Twardzik et al.

Twardzik et al. Attorney Docket No. STEM1110-5
Application No.: Unassigned

**PATENT** 

Filed: January 15, 2002 Page 2

## IN THE CLAIMS:

Please cancel claims 1-2 and 23 through 72, as filed herewith without prejudice.

## **REMARKS**

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. Please apply any charges not covered, or any credits, to Deposit Account 50-1355.

Respectfully submitted,

Date: <u>///5/02</u>

Lisa A. Haile, J.D., Ph.D.

Reg. No. 38,347

Telephone: (858) 677-1456 Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP 4365 Executive Drive, Suite 1100 San Diego, California 92121-2133

**USPTO Customer Number 28213**